

VILLAGE OF KIRYAS JOEL CITIZEN PARTICIPATION PLAN

FOR U.S. DEPARTMENT OF HOUSING AND URBAN RENEWAL
COMMUNITY DEVELOPMENT BLOCK GROUP FEDERAL ENTITLEMENT FUNDING



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OVERVIEW

The Village of Kiryas Joel, Orange County, New York, is scheduled to receive entitlement grants from the U.S. Department of Housing & Urban Development (HUD) under the Community Development Block Grant (CDBG) program (24 Code of Federal Regulations (CFR) part 570, subparts D & I). The Village is formulating a Consolidated Plan, which is the document submitted to HUD that serves as the comprehensive housing affordability strategy, community development plan, and submission for funding under the HUD CDBG Community Planning and Development formula grant program. The Consolidated Plan is being prepared in accordance with 24 CFR part 91. The formal process of consolidated planning and programming (also referred to herein as the program or programming), is being facilitated by the Village of Kiryas Joel Administrator's Office.

The Village, per 24 CFR Part 91.105, is required to adopt a Citizen Participation Plan that sets forth the jurisdiction's policies and procedures for Citizen participation, so accordingly this document describes the public participation process and specific methods for development of the Kiryas Joel 5-year Consolidated Plan, and associated CDBG program documentation, including but not limited to requisite public hearings and public comment periods. This CPP sets the Village's policies for citizen involvement and it establishes the Village's roadmap of procedures that will be used to encourage and enable input from citizens and potential and actual entitlement grant beneficiaries, as well as certain specified agencies, in the overall and specific planning process.

Federal Regulatory Compliance

HUD guidelines for the Consolidated Plan (24 CFR Part 91 Sec. 91.105) require the Village to adopt and follow a Citizen Participation Plan that sets forth the local policies and procedures for citizen participation. This Citizen Participation Plan (also referred to as CPP) establishes standards for community involvement and review throughout the planning, execution, and evaluation of the Consolidated Plan, the associated Annual Action Plans (AAPs), and the linked Consolidated Annual Performance and Evaluation Reports (CAPER).

In addition, the HUD Final Regulations for the Assessment of Fair Housing (AFH) mandate that the Village adopts a Community Participation Plan (CoPP). This plan outlines local policies and procedures for soliciting views and recommendations from community members and other interested parties. It requires careful consideration of the received input, with an incorporation of such views and recommendations into decisions and outcomes (24 CFR §5.152). The CoPP's policies and procedures align with those outlined in this Citizen Participation Plan, but include additional requirements related to HUD-provided data and other supplemental information. It also necessitates consultation with other public and private agencies. This Citizen Participation Plan is designed to concurrently fulfill all the federal requirements mentioned above.

In Kiryas Joel the consolidated program year will run each year from July 1 through June 30. The Village of Kiryas Joel will create and adopt a Consolidated Plan, outlining a five-year rationale for action and identifying anticipated housing and community development strategies. In addition to the Consolidated Plan, specific documentation will be developed annually to outline how grant funds are proposed and intended to be strategically allocated by the Village to sub-recipients. This allocation will be done through targeted grants, housing programs, community-wide initiatives, or public improvement projects consistent with the Consolidated Plan. The fundamental aim is to foster and develop a viable urban community by providing decent housing and a suitable living environment, along with expanding economic opportunities primarily for individuals with low and moderate income.

What is the Citizen Participation Plan?

This Citizen Participation Plan generally describes the public process and framework organization envisioned for the development of the 5-year Consolidated Plan, including but not limited to steps to consult with public and private agencies within the community that are involved with providing assisted housing, health services, social services, and other aspects of community and economic development. Likewise, it describes an arrangement for involvement by interested citizens, including residents who are low- and moderate-income, to identify potential community and regional needs, and enable all persons to interface with this programming.

The Village of Kiryas Joel is committed to inclusive citizen involvement, allowing residents to provide input in planning, implementing, and evaluating the Village's Community Development Block Grant (CDBG) needs. The Village presents the Citizen Participation Plan as a reference on how it will engage the community in shaping the Consolidated Plan and related program plans and policies. By describing mechanisms of public information, identifying how and where to access documents, and describing other protocols and procedures, the CPP outlines formal and informal participation opportunities, specifically encouraging involvement from low- and moderate-income individuals, residents of blighted areas, and those with diverse needs. It also details accommodations and translation services available to facilitate equal participation by all members of the Kiryas Joel community.

Strategy and determinations are documented in the Village's five-year Consolidated Plan and adhere to federal requirements for areas receiving HUD entitlement resources. The Consolidated Plan outlines the Village's strategic objectives, initiatives guiding HUD entitlement spending, local planning processes, designated strategy areas/locations, and a unified vision for community betterment. The Consolidated Plan serves as a comprehensive application for the HUD Entitlement Grant funds awarded to the Village, subject to updates every five years and submission to HUD, along with the AAP and CAPER that describe the intent and the consistency of the annual programming within the content of the Consolidated Plan. All program documentation will be developed according to the framework herein.

There are detailed instructions to guide the public's submission of comments and requests for redress. To ensure continuity of participation in all stages of development and programming of the Consolidated Plan, this document describes citizen participation milestones, the different types of hearings, the points by which pre-notification must occur, as well as how long an associated public comment period will last. It describes the locations where physical copies of materials will be available, and how comments or other correspondence can be submitted. It also lays out the standards for applicable opportunities for public comment on various other programming or program materials.

Citizen input is important to identify in community needs assessment and in allocating HUD entitlement resources through a strategic planning process that will set the framework for projects for the period of Program Years 2024-2028. This document provides information about opportunities available for involvement of affected persons and interested citizens in the planning process. The Village will ensure there is transparency and complete access to the draft and final Consolidated Plan.

CITIZEN PARTICIPATION PLAN

Access to Information

The Village Administrator will maintain information on the Citizen Participation Plan, as well as the draft or final Consolidated Plan, annual action plans, performance reports, the AFH, substantial document amendments, public notices, applications, forms, procedures, and guidelines. The Administrator will also maintain files with records that include, but are not limited to public notices, correspondence (including complaints), Environmental Review Records, applications, forms, procedures, and guidelines, as well as applications for funding, documentation on funded projects, and audit findings. In addition, pertinent HUD-provided data, and any other supplemental information relative to the Consolidated Plan will be made available to residents, public agencies, and other interested parties.

Records, files, and notices shall be maintained at:

Paper Copies

Village of Kiryas Joel Village Hall
Office of the Village Administrator
51 Forest Rd, Kiryas Joel, NY 10950
(845) 783-8300

Digital Copies

<https://kiryasjoel.org>

The Village will publicly post a summary of relevant documents in Village Hall, on the Village's website and in one or more newspapers of record as may be required. The Village will make records available in a format accessible to persons with disabilities, upon request. The Village will provide meaningful access to Limited English Proficiency (LEP) individuals. Language assistance will include:

- Yiddish oral interpretation services;
- Bilingual staff;
- Telephone service lines interpreter;
- Written translation services upon request; and
- Notices of the availability of LEP services.

Public Notices & Comment Periods

The Village will publish public notice(s) in the **Times Herald Record**. Notices will be posted on the Village's website and in a prominent public place of display at Village Hall. These public notices will announce key points in programming and the availability of applicable public comment periods during different stages of programming, including any amendments. It will state that upon request, reasonable accommodations will be provided to meet the needs of non-English speaking residents and that the Village will take whatever actions are appropriate to serve the needs of persons with disabilities.

Public hearing notices will describe the purpose of the public hearing and provide the date, time, and location of such hearing. It will identify the location(s) where documents may be reviewed. The notice will be announced fifteen (15) days in advance of a hearing to allow citizens sufficient time to plan involvement and/or request special accommodation. All comments, written or verbal, will be accepted during any applicable comment time frame as publicized. The Village is committed to ensuring transparency and citizen participation.

Public Hearings

The Village Administrator, and/or his designee, on behalf of the Village Board, shall hold the public hearings during development and annual implementation of the Consolidated Plan to gather input from citizens and involved agencies on needs, interests, proposals and strategies, and questions. The Village public hearings will be used to obtain input on housing and community development needs, the development of proposed strategies and activities, proposed strategies, and actions for affirmatively furthering fair housing consistent within the AFH, and in conjunction with the review of program performance.

One public hearing will be held before the proposed Consolidated Plan is published and ensure an opportunity for interested parties to comment regarding housing and non-housing community development needs, the identification of possible fair housing needs, and to identify interests and potential ways to affirmatively further fair housing. This will be an open format, focused on understanding needs and priorities of the community. It will occur prior to publication of the AFH or the Consolidated Plan.

Additional public hearing(s) will be on the draft Consolidated Plan, the AFH, and/or any annual program plan. The purpose of this hearing will be to obtain the views of citizens and of other parties on housing and community development needs, including non-housing community development needs, as well as to gather input on and enable responses to specific strategies, proposals, evaluations, and related posed questions. Before the Village adopts the Consolidated Plan, it will use the associated posted documents and this public hearing to inform residents and get feedback from public agencies, and any other interested parties about programming and the amount of assistance the jurisdiction expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit low- and moderate-income persons.

Comment Period & Comments Received

Unless otherwise identified, a public comment period will begin two weeks following the date of publication and the notice will state the time period for which the public can submit written comments. The Village will consider written comments and views of citizens. In each instance, the Village will attach a summary of said commentors, the comments, and whether changes were provided based on comments received. This will accompany submittals to HUD, including by addressing those comments not accepted and the reason for rejection.

A 30-day public comment period will be provided, unless there is instruction provided by HUD that allows a shorter public comment period. A public hearing, when required, will occur at least 10 days prior to a Village Board meeting at which a Consolidated Plan, Annual Action Plan or amended document is slated for adoption.

Comments will be accepted as follows:

Mailed Correspondence

Village of Kiryas Joel Village Hall
Office of the Village Administrator
P.O. Box 566, Kiryas Joel, NY 10950

Emailed Correspondence

info@vokj-ny.org

A summary of all comments received on an applicable Consolidated Plan, Annual Action Plan, CAPER, AFH, or any other document posted for comment, shall be attached to the respective document before submittal to HUD. Likewise, a summary of any comments or views not accepted or acted upon, and the reasons therefore, shall be attached to the applicable final Consolidated Plan, Annual Action Plan, CAPER or AFH before submittal to HUD.

Anti-Displacement: Persons or Businesses

Kiryas Joel consolidated planning activities are designed to eliminate (or minimize) the occurrence of displacement. The Village is required to set forth plans to minimize displacement of persons and assist any person displaced, including on a temporary basis, and specify types and levels of assistance the Village will make available (or require others to make available) to persons displaced, even if the Village expects no displacements to occur. This administration is provided in keeping with the Uniform Relocation Assistance and Real Property Acquisition Act passed by the federal government in 1970, including a pertaining to its definition of the term "displaced person", which in-part covers anyone who moves from real property, or moves their personal property from real property as a direct result of a written notice of intent to acquire such real property in whole or in part for a program or project undertaken by a Federal agency or with Federal financial assistance. Generally, displaced persons and entities are eligible for relocation assistance under federal law and as per HUD requirements. Moreover, the Village is required to specify types and levels of assistance the Village will make available to persons who are displaced.

Tenants in occupied rental properties will be made aware of their rights with respect to displacement and relocation. Property owners will be made aware of rights and responsibilities and that property owners must assume the financial responsibility for the displacement and relocation of their tenants.

The Village Administrator, or designee, will ensure the Village does not acquire or demolish occupied structure(s) unless the structure is owner-occupied and a voluntary acquisition takes place. When displacement is unavoidable, the Village will offer the following types of assistance:

For residential displacements:

1. Provide relocation advisory services to displaced tenants and owner occupants;
2. Provide a minimum of 90 days written notice to vacate prior to possession;
3. Provide reimbursement for moving expenses; and
4. Provide payments for the added cost of renting or purchasing comparable replacement housing.

For nonresidential displacements (businesses and nonprofit organizations):

1. Provide relocation advisory services;
2. Provide a minimum 90 days written notice to vacate prior to possession;
3. Provide reimbursement for moving and re-establishment expenses; and
4. Provide payments for the added cost of renting or purchasing comparable commercial space.

Amendments to the Consolidated Plan or Annual Action Plan

From time-to-time, it may be necessary for the Village to process a “Substantial Amendment” or a “Minor Amendment” to the Five-Year Consolidated Plan, or the One-Year Action Plans, to allow for new CDBG funded activities; modification of existing activities; or other HUD community planning and development program administrative actions.

The Village is required to define what constitutes a substantial amendment. When a substantial amendment is proposed, HUD further requires certain standards be met, such as comment periods and public hearings. All minor and substantial amendments will be subject to the more stringent of the Village’s or HUD’s program requirements, including, but not limited to, funding approval. Records of all amendments will be maintained by the Village for public review and will be fully described in the applicable annual performance report submitted to HUD.

1. Substantial Amendment

A substantial amendment requires public hearing and a 30-day public comment period. These amendments will be reflected in HUD’s Integrated Disbursement and Information System (IDIS), reported to HUD accordingly, and approved by the Village Board where required. A substantial amendment will be undertaken in the following circumstances:

- A. When there is a proposed new activity or program not previously described in the Consolidated Plan or the Annual Action Plan;
- B. Change(s) in the purpose, scope, location, or beneficiaries of an activity;
- C. Change in the Village’s allocation priorities, including establishing new activities; or
- D. Change in the use of federal funds from one eligible activity to another more than 25% of a single activity budget.

2. Minor Amendment

When the change involves a shift of funds between budget lines to accommodate changing project needs over the course of the program year, without any addition or deletion of programs and projects, the proposed change will be treated as a minor amendment. In these cases, no formal public hearing is required, but HUD will be notified in writing of the budget revision. A minor amendment does not require a public hearing or public comment period. Minor amendments will be reflected in IDIS, reported to HUD accordingly, and approved by the Village Board where required. A minor amendment will be undertaken in the following circumstances:

- A. Change in the method of distribution of funds;
- B. The reallocation of funds not expended after an activity is completed as approved with the shift to a previously approved activity;
- C. Increase, or decrease of funds for a previously approved activity; not exceeding 25% of the total project budget;
- D. Increase or decrease of funding for an approved activity; not exceeding 10% of the Village’s total annual grant allocation;
- E. Cancellation of a previously approved activity due to unforeseen circumstances that have caused significant delays or unreasonable cost burdens.

Disaster/ Emergency Events That May Require Expedited Substantial Amendments:

It may be necessary to expedite substantial amendments to the Consolidated Plan in the event of a declared disaster or emergency. There are three types of disasters/emergency events that may necessitate an expedited substantial amendment including (1) Man-Made-disasters, (2) Natural disasters, and (3) Terrorism. Man-made disasters can include chemical spills, mass rioting, power outages, dam failure, plant explosions, etc. Natural disasters can include earthquakes, tsunamis, hurricanes, tornadoes, wild fires, flooding, and public health issues such as wide-spread disease such as the coronavirus outbreak in 2019 (COVID-19). Terrorism events include bomb threats, biochemical attacks like the spread of anthrax, or cyber-attacks like hacking, phishing, and virus distribution, etc.

These expedited substantial amendments may include funding new activities and/or the reprogramming of funds including canceling activities to meet needs resulting from a declared disaster or emergency. Therefore, the Village may utilize CDBG funds to meet these needs with a 5-day public comment period instead of a 30-day public comment period, which is otherwise required for substantial amendments.

With respect to a declared disaster, the Village may elect to use CDBG funds to address needs not provided for by the Federal Emergency Management Agency (FEMA), Small Business Administration (SBA), or other disaster relief efforts. Funding for disaster relief may not duplicate other efforts undertaken by federal or local sources unless allowed by the federal government. Potential eligible uses of funds are those that are included in this Citizen Participation Plan, the Consolidated Plan, or any other local program document, as well as any CDBG-eligible use of funds. HUD may provide new guidance on eligible uses, which the Village will comply with and utilize as well.

All eligible CDBG activities, including those to address declared disasters or emergencies, must meet one of three National Objectives, which are: (1) Benefit to low- and moderate-income (LMI) persons; (2) Aid in the prevention of slums or blight; or (3) Meet a need having a particular urgency (referred to urgent need). The Village may carryout eligible CDBG activities to meet needs resulting from declared disasters or emergencies under any one of these three national objectives.

Performance Reports

The Village is required to report annually on project accomplishments and progress it has made in carrying out the goals outlined in the Consolidated and Annual Action Plans. This report is known as the Consolidated Annual Performance & Evaluation Report (CAPER). The Village shall provide a fifteen (15) day comment period in which anyone may comment on the CAPER once it is available and posted and prior to its submission to HUD. The Village shall provide notice in accordance with this CPP. The Village shall consider all comments, verbally or in writing, and received within the public comment period. The Village shall append a summary of these comments to the CAPER in its submission to HUD.

Access to Records

Records are maintained at Village Hall at the address provided herein. When there are requests for records, the Village will provide reasonable and timely access to information and the records related to such properly completed request. The Village Administrator, or his designee, will provide records for the current program year, and going forward, the preceding five years of programs. Generally, records less than two (2) years old will be available for public inspection within ten (10) business days of a written request. Records from two (2) to six (6) years old shall be accessible for public inspection within fifteen (15) business days of a written request.

When there is a request for housing assistance records, or information on projects involving subgrantees that are not a division or part of the Village administration, the request will be subject to laws regarding privacy and obligations of confidentiality, with confidential documents set apart from public information, and the requestor so informed.

Technical Assistance

The Village is required to provide technical assistance to groups representing low- and moderate-income people who request such assistance to develop proposals for funding assistance under any program covered by the Consolidated Plan. The Village Administrator, or his designee, will host technical sessions to talk about the requirements of proposals. It will provide and post a brief handbook that details the process. The Village's technical assistance shall be advisory only. It will not include actual preparation work, nor shall it be interpreted as advocacy for a particular plan or application or tacit approval of one. This assistance shall be provided free of charge and in Yiddish as well as English. To request assistance, please contact the Village Administrator or his designee.

Complaints Process

The Village Administrator is the point of contact for all questions, comments, complaints, and requests, written or verbal, relating to the Consolidated Plan and associated HUD-based programming and program documentation. Citizens can send complaints via mail to the address provided herein (or deliver them in-person to the Village of Kiryas Joel Village Offices on days the municipal administration is operating, from Sunday to Friday, from 9:30 a.m. to 4 p.m. A written response will be provided to all complaints regarding the Consolidated Plan and its associated programming.

Unless otherwise expressly indicated, all responses will be provided within fifteen (15) working days of receipt of the complaint or prior to submission for approval, whichever is sooner if no further deliberation is required. If a complaint involves a policy issue that requires deliberation of one or more municipal Boards or committees, the individual or organization submitting the complaint shall be notified of this fact within fifteen (15) days. The issue will be brought to the attention of the appropriate stakeholders at their earliest availability and a response will be developed after their consideration.